

PIBA

Procedure Number: 10.1.0018

Subject: Status for the Partner of a Refugee

Date of update: October 6, 2013

**Procedure for Handling the Status of the Partner of a Recognized Refugee**

**1. Hearing Requests for Granting a Status to the Partner of a Recognized Refugee will be according to the following breakdown:**

- a. A Recognized Refugee requesting to bring a family member from his country of origin – his request will be handled and discussed by the Refugee Committee in coordination and under the responsibility of the Foreigners and Enforcement Authority.
- b. A Recognized Refugee who met his foreign partner in Israel and married her in Israel and requests to give her a status by virtue of marriage – his request will be handled in PIBA's offices according to their address of residence.

**2. Below is a description of the procedure for handling for cases as indicated in section 3(b):**

- a. The refugee will contact PIBA's office with his or her partner and will present in the office the following:
  - i. A request for receiving/renewing a residency permit.
  - ii. Portrait pictures of each person.
  - iii. An Israeli identification document for the recognized refugee.
  - iv. A passport for the partner, which is valid for two years.
  - v. **Public documentation of the partner, in the original, verified (translated to the extent necessary) as follows:**
    1. Character reference (including the original names) which is updated and granted in the past year.
    2. To the extent that there was a name change (first/last), a public document which shows evidence of the name change should be presented.
    3. Public documents which prove the current and past marital status.
    4. Birth certificate.

- vi.** A document which proves the lack of a criminal record for the recognized refugee.
  - vii.** Marriage certificate.
  - viii.** Birth certificate for the children of the couple.
  - ix.** Proof of the relationship and the center of common life in Israel.
  - x.** Letters and recommendations regarding how the couple met from family members and friends. A copy of the identity card of each recommender should be attached.
  - xi.** Explanatory letter from the couple regarding their common life, its manner and the length of their relationship.
  - xii.** Affidavit from the couple regarding the veracity of the materials submitted and the couple's obligation to notify PIBA's offices of any change in circumstances.
  - xiii.** A declaration signed by the recognized refugee that he knows that if he does not submit the requested documents within 30 days, his request will be closed.
  - xiv.** Fee payment – the service is conditioned on the payment of a fee for requesting a residency permit as described in the Fees Chart.
- b.** PIBA will conduct a preliminary inquiry to examine the genuineness of the relationship and to the extent that the impression is that there is a lack of a genuine relationship and a lack of a shared household, the request shall be rejected and the applicants shall be updated and their case should be closed.
- c.** If the request was not requested on the basis of the aforementioned in section (b), and on the basis of PIBA's impression and the entirety of the documents which were submitted, PIBA is convinced regarding the genuineness of the relationship and all the required documents were submitted, PIBA will transfer the details of the couple (and not the file itself or the documents within) to the Section for Consular Coordination in the Enforcement and Foreigners Authority.
- d.** With the assistance of the Section for Consular Coordination, the possibility of moving the couple to the country of the recognized refugee's partner will be examined. The Section for Consular Coordination can instruct PIBA to refer the couple to representatives of the partner's (who is not a recognized refugee) country and the Section for Consular Coordination is allowed to determine that it will conduct the referral to the representatives on its own or with the assistance of the Ministry of Foreign Affairs.

- e. The Section for Consular Coordination will instruct PIBA in its response regarding the continued handling, who they shall contact and how they shall answer the applicants, etc.
  - i. To the extent that it turns out that the couple has the possibility for living together in the partner's country of origin, the couple will be referred to the "Head of Voluntary Return" in the Enforcement Authority.
  - ii. To the extent that it turns out that the couple does not have the possibility for returning to live in the partner's country of origin, a full interview will be conducted in the PIBA's offices for both persons.
- f. In the interim period between receiving an answer from the Consulate of the partner's (who is not a recognized refugee) country until completing the necessary clarifications and implementing the full interview, a residency permit of the type B/2 will be given to the partner who is not a recognized refugee.
- g. If it turns out that there is a genuine relationship between the persons and their center of life is in Israel – a general residency permit of the type B/1 for one year will be approved. The continued need for a residency permit and the circumstances of the request will be examined before each renewal. The partner who is not a refugee shall contact PIBA's office three months before the residency permit expires for the purpose of renewing it.
- h. The end of the validity of the B/1 residency permit will not be later than the validity of the A/5 residency permit that the refugee has.
- i. For common, accompanied children it is possible to approve a residency permit of the A/5 type.

Comment – to the extent that there is a request by a person who holds an A/5 visa only because he was identified as of Darfurian origin, and his asylum claim was not examined or he did not submit an individual asylum claim on his matter, he should be referred immediately with his request to PIBA for the purposes of opening a request in the Office for Handling Asylum Seekers for the purposes of conducting an identification interview in order to verify his identity. Afterwards it will be decided the way in which to continue handling his matter.